

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

LARRY SMITH,

Plaintiff,

v.

CONNIE GIPSON, et al.,

Defendants.

No. 2:20-CV-0071-DAD-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff's late-filed motion for an extension of time. See ECF No. 76.

Plaintiff seeks a further extension of time to file an opposition to Defendants' motion for summary judgment. Plaintiff's motion will be denied as untimely. Defendants' motion for summary judgment was filed on January 17, 2023. Since then, Plaintiff has been granted five extensions of time and obtained a temporary stay of proceedings to allow additional time to respond. On January 23, 2024, the Court granted Plaintiff a final 30-day extension of time. As of March 7, 2024, Plaintiff had not filed an opposition to Defendants' motion for summary judgment and the Court issued findings and recommendations that the unopposed motion be granted. Plaintiff's current motion for a further extension of time was filed after the Court issued findings and recommendations and, as such is untimely.

1 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for an extension
2 of time to file an opposition to Defendants' motion for summary judgment, ECF No. 76, is
3 DENIED.

4
5 Dated: March 14, 2024

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE